

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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January 16, 2024

**MEMORANDUM TO COUNSEL OR PARTIES**

Appeal Number: 24-10095-P

Case Style: Kenneth Eugene Smith v. Commissioner, Alabama Department of Corrections, et al

District Court Docket No: 2:23-cv-00656-RAH

**Acknowledgement Required**

**Counsel must acknowledge receipt of the attached calendar by docketing the "*Calendar Receipt Acknowledged*" event in ECF.**

**Oral Argument Calendar and Location**

The Court wishes to advise the attorneys of record that oral argument will not be conducted in person. Oral argument in the above capital appeal has been scheduled to be heard telephonically on **Friday, January 19, 2024**, the hearing will commence at approximately **3:30 p.m. Eastern Time**. The judges on the panel will conduct the oral argument proceedings and participate in them by teleconference. Counsel should plan to participate in oral argument by audio conference from any location other than the courthouse. Counsel will be allotted thirty (30) minutes oral argument per side.

Attorneys who are participating in an argument will be able to dial in by phone and enter an access code. The Clerk's Office, with the assistance of the Court's IT Department, will make the necessary arrangements and notify attorneys who will participate in the arguments of the technical details.

Counsel for each party must present oral argument unless excused by the Court for good cause shown. *As of the date of this letter, any change in or addition to counsel in this appeal requires leave of the Court. See 11th Cir. R. 34-4(e)*

**Panel Assignment**

The names of the panel members for this oral argument session may be obtained by calling the Courtroom Deputy shown below, no earlier than 01/18/2024.

Courtroom Deputy: David L. Thomas

Phone #: (404) 335-6171

Questions

If you have questions or concerns, please contact the Calendaring/Court Sessions Section in Atlanta, Georgia at (404) 335-6141.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

CAL-1 Oral Argument Calendar Issued